

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MICHAEL GUEVARA, a minor, by his
Mother and best friend, ELBA GUEVARA,
et. al.

07 Civ. 6941 (CS)
Consolidated

Plaintiffs,

-against-

PHILIP AMICONE, *et. al.*

Defendants.

-----X
**PLAINTIFFS' PROPOSED
VERDICT SHEET**

VIOLETA DZIKOVIC, *et. al.*

Plaintiffs,

-against-

07 Civ. 7692 (CS)
Consolidated

PHILIP AMICONE, *et. al.*

Defendants.

-----X
RICHARD BLASSBERG,

Plaintiff,

08 Civ. 1506 (CS)

-against-

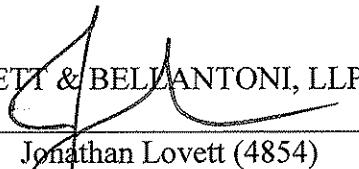
PHILIP AMICONE,

Defendant.

-----X

Plaintiffs by their attorneys Lovett & Bellantoni, LLP, submit the annexed proposed
verdict sheet, subject to a reservation of rights to amend same as justice may require.

Dated: Hawthorne, N.Y.
September 30, 2010

LOVETT & BELLANTONI, LLP
By: 
Jonathan Lovett (4854)
Attorneys for Plaintiffs
37A Saw Mill River Road
Hawthorne, N.Y. 10532
914-347-4500

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MICHAEL GUEVARA, a minor, by his
Mother and best friend, ELBA GUEVARA,
et. al, 07 Civ. 6941 (CS)
Plaintiffs, Consolidated

-against-
Plaintiffs,

PHILIP AMICONE, *et. al*,
Defendants.

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VIOLETA DZIKOVIC, *et. al*,
Plaintiffs, 07 Civ. 7692 (CS)
-against- Consolidated

PHILIP AMICONE, *et. al*,
Defendants.

-----X
RICHARD BLASSBERG,
Plaintiff, 08 Civ. 1506 (CS)
-against-

PHILIP AMICONE,
Defendant.

-----X
VERDICT SHEET

As to Plaintiffs' claims

1. Have the following Plaintiffs established by a preponderance of the evidence that their
First Amendment rights were violated:

Richard Blassberg	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Maribel Ayala	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Cesar Castillo	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Michael Guevara	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Richard Guevara	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jason Gonzalez	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Maumer Kllapija	Yes _____	No _____
Dominica L. O'Neill	Yes _____	No _____
Christian Salazar	Yes _____	No _____
Joni Campbell	Yes _____	No _____
James Carey	Yes _____	No _____
Dominick D'Intino	Yes _____	No _____
Kenneth Heslop	Yes _____	No _____
Anton Lukaj	Yes _____	No _____
Nikola Lukaj	Yes _____	No _____
Krishenday Marjah	Yes _____	No _____
Robert Palermo	Yes _____	No _____
Gabriel Potente	Yes _____	No _____
Joseph Potente	Yes _____	No _____
Salvatore Potente	Yes _____	No _____
Wendy Ram	Yes _____	No _____
Derek Roberto	Yes _____	No _____
Randa Sayegh	Yes _____	No _____
Chandra Sookdeo	Yes _____	No _____
Hatixha Zherka	Yes _____	No _____
Kujtim Zherka	Yes _____	No _____

2. Have the following Plaintiffs established by a preponderance of the evidence that their rights to Equal Protection were violated:

Richard Blassberg	Yes _____	No _____
Maribel Ayala	Yes _____	No _____
Cesar Castillo	Yes _____	No _____
Michael Guevara	Yes _____	No _____
Richard Guevara	Yes _____	No _____
Jason Gonzalez	Yes _____	No _____
Maumer Kllapija	Yes _____	No _____
Dominica L. O'Neill	Yes _____	No _____
Christian Salazar	Yes _____	No _____
Joni Campbell	Yes _____	No _____
James Carey	Yes _____	No _____
Dominick D'Intino	Yes _____	No _____
Kenneth Heslop	Yes _____	No _____
Anton Lukaj	Yes _____	No _____
Nikola Lukaj	Yes _____	No _____
Krishenday Marjah	Yes _____	No _____
Robert Palermo	Yes _____	No _____
Gabriel Potente	Yes _____	No _____
Joseph Potente	Yes _____	No _____
Salvatore Potente	Yes _____	No _____
Wendy Ram	Yes _____	No _____

Derek Roberto	Yes <input type="text"/>	No <input type="text"/>
Randa Sayegh	Yes <input type="text"/>	No <input type="text"/>
Chandra Sookdeo	Yes <input type="text"/>	No <input type="text"/>
Hatixha Zherka	Yes <input type="text"/>	No <input type="text"/>
Kujtim Zherka	Yes <input type="text"/>	No <input type="text"/>

If you answered “yes” to any part of questions #1 and #2, proceed to question #3.

If you answered “no” to every part of questions #1 and #2, proceed to question # 6.

3. State each of the following Plaintiff's compensatory damages:

Richard Blassberg	\$ <input type="text"/>
Maribel Ayala	\$ <input type="text"/>
Cesar Castillo	\$ <input type="text"/>
Michael Guevara	\$ <input type="text"/>
Richard Guevara	\$ <input type="text"/>
Jason Gonzalez	\$ <input type="text"/>
Maumer Kllapija	\$ <input type="text"/>
Dominica L. O'Neill	\$ <input type="text"/>
Christian Salazar	\$ <input type="text"/>
Joni Campbell	\$ <input type="text"/>
James Carey	\$ <input type="text"/>
Dominick D'Intino	\$ <input type="text"/>
Kenneth Heslop	\$ <input type="text"/>

Anton Lukaj	\$ _____
Nikola Lukaj	\$ _____
Krishenday Marjah	\$ _____
Robert Palermo	\$ _____
Gabriel Potente	\$ _____
Joseph Potente	\$ _____
Salvatore Potente	\$ _____
Wendy Ram	\$ _____
Derek Roberto	\$ _____
Randa Sayegh	\$ _____
Chandra Sookdeo	\$ _____
Hatixha Zherka	\$ _____
Kujtim Zherka	\$ _____

4. Should punitive damages be awarded against Philip Amicone: Yes: No:

If you answered “yes” to question #4, proceed to question #5.

If you answered “no” to question #4, proceed to question #6.

5. State for each of the Plaintiffs the amount of punitive damages to be awarded against Philip Amicone:

Richard Blassberg	\$ _____
Maribel Ayala	\$ _____

Cesar Castillo	\$ _____
Michael Guevara	\$ _____
Richard Guevara	\$ _____
Jason Gonzalez	\$ _____
Maumer Kllapija	\$ _____
Dominica L. O'Neill	\$ _____
Christian Salazar	\$ _____
Joni Campbell	\$ _____
James Carey	\$ _____
Dominick D'Intino	\$ _____
Kenneth Heslop	\$ _____
Anton Lukaj	\$ _____
Nikola Lukaj	\$ _____
Krishenday Marjah	\$ _____
Robert Palermo	\$ _____
Gabriel Potente	\$ _____
Joseph Potente	\$ _____
Salvatore Potente	\$ _____
Wendy Ram	\$ _____
Derek Roberto	\$ _____
Randa Sayegh	\$ _____
Chandra Sookdeo	\$ _____
Hatixha Zherka	\$ _____

Kujtim Zherka \$ _____

As to Defendant Amicone's claims

6. Has Amicone proven by a preponderance of the evidence that the following statement would tend to expose him to public hatred, contempt, ridicule or disgrace?

“People now realize that Phil Amicone is a real tyrant, an oppressive politician who cannot accept criticism. He is no friend of the city’s public employees. He called Yonkers teachers ‘terrorists’ for picketing for higher wages. He refused new police and fire department contracts for 2 ½ years. He is a huge hypocrite. Pretending to be ‘holier than thou’, he actually frequents strip clubs, even had a ‘lap dance’ from a girl by the name of Sassy.”

Yes: _____

No: _____

If you answered “no” to this question, proceed no further and report to the Court.

If you answered “yes” to this question, proceed to question #7.

7. Has Amicone proven by a preponderance of the evidence that the statement referred to him, meaning that the statement would reasonably be understood to be about him?

Yes: _____ No: _____

If you answered “no” to this question, proceed no further and report to the Court.

If you answered “yes” to this question, proceed to question #8.

8. Has Amicone proven by a preponderance of the evidence that the statement was actually read by someone other than Amicone by reason of the conduct of:

Blassberg: Yes: No:

Zherka: Yes: No:

Guardian: Yes: No:

If you answered “no” to each part of this question, proceed no further and report to the Court.

If you answered “yes” to any part of this question, proceed to question #9.

9. Has Amicone proven by clear and convincing evidence that the statement was false, meaning substantially untrue? Yes: No:

If you answered this question “no”, proceed no further and report to the Court.

If you answered this question “yes”, proceed to question #10.

10. Has Amicone proven by clear and convincing evidence that the statement was known to be false or was made in reckless disregard of the truth or falsity of the statement by:

Blassberg: Yes: No:

Zherka: Yes: No:

Guardian: Yes: No:

If you answered “no” to each part of this question, proceed no further and report to the Court.

If you answered “yes” to any part of this question, proceed to question #11.

11. State Amicone's compensatory damages with respect to:

Blassberg: \$_____

Zherka: \$_____

Guardian: \$_____

If you answered "no" to each part of this question, proceed no further and report to the Court.

If you answered "yes" to any part of this question, proceed to question #12.

12. Has Amicone proven that the statement was made with a deliberate intent to injure or out of hatred, ill will or spite or with a willful, wanton, or reckless disregard of Amicone's rights by:

Blassberg: Yes:____ No:____

Zherka: Yes:____ No:____

Guardian: Yes:____ No:____

If you answered "no" to each part of this question, proceed no further and report to the Court.

If you answered "yes" to any part of this question, proceed to question #13.

13. State the amount of punitive damages awarded against:

Richard Blassberg: \$ _____

Selim Zherka: \$ _____

Guardian: \$ _____